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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,<sup>1</sup>

Debtor.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND  
ADVISORS, L.P.

Defendant.

§  
§ Chapter 11  
§  
§ Case No. 19-34054-sgj11  
§  
§  
§  
§ Adversary Proceeding No.  
§  
§ 21-03004-sgj  
§  
§  
§  
§  
§

<sup>1</sup> The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

## **STIPULATION AND PROPOSED SCHEDULING ORDER**

This stipulation (the “Stipulation”) is made and entered into by and between Highland Capital Management, L.P., as debtor-in-possession (the “Debtor”), and Highland Capital Management Fund Advisors, L.P. (“HCMFA” or “Defendant”, and together with the Debtor, the “Parties”), by and through their respective undersigned counsel.

### **RECITALS**

WHEREAS, on October 16, 2019 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the Bankruptcy Court for the District of Delaware, Case No. 19-12239 (CSS) (the “Delaware Court”);

WHEREAS, on December 4, 2019, the Delaware Court entered an order transferring venue of the Debtor’s bankruptcy case (the “Bankruptcy Case”) to this Court;

WHEREAS, on January 22, 2021, the Debtor commenced the above-captioned adversary proceeding (the “Adversary Proceeding”) against HCMFA by filing its complaint [Docket No. 1]<sup>2</sup> (the “Complaint”);

WHEREAS, on January 25, 2021, the Court issued its *Order Regarding Adversary Proceedings Trial Setting and Alternative Scheduling Order* [Docket No. 3] (the “Alternative Scheduling Order”);

WHEREAS, on March 1, 2021, HCMFA filed its answer to the Debtor’s Complaint [Docket No. 6] (the “Answer”);

WHEREAS, the Parties have conferred and desire to enter into a mutually agreeable proposed schedule, as specifically set forth below.

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<sup>2</sup> Refers to the docket number maintained in the Adversary Proceeding.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. The Parties agree to the following schedule (the “Proposed Joint Scheduling Order”) in lieu of that provided in the Alternative Scheduling Order:

<i><b>Proposed Joint Scheduling Order</b></i>	
<u>Event</u>	<u>Deadline</u>
1. Service of Written Discovery Requests	April 21, 2021
2. Service of Written Responses to Discovery	May 28, 2021
3. Completion of Fact Discovery	June 18, 2021
4. Expert Disclosures	June 28, 2021
5. Completion of Expert Discovery	July 16, 2021
6. Dispositive Motions	July 16, 2021
7. Exhibit and Witness Lists	August 20, 2021
8. Joint Pretrial Order	August 30, 2021
9. Proposed Findings of Fact and Conclusions of Law	August 30, 2021
10. Trial Docket Call	September 6, 2021

2. If approved by the Court, the Proposed Joint Scheduling Order shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation, subject to any objection to the Court’s jurisdiction or core jurisdiction and subject to any motion for the withdrawal of the reference, with respect to which all parties reserve their rights, if any.

*[Remainder of Page Intentionally Blank]*

Dated: March 8, 2021.

**MUNSCH HARDT KOPF & HARR, P.C.**

/s/ Davor Rukavina

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